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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/523,513	02/04/2005	Peter Dolling	2002P09934WOUS	1286

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Siemens Corporation
Intellectual Property Department
170 Wood Avenue South
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EXAMINER

NORTON, JENNIFER L

ART UNIT	PAPER NUMBER
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2121

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/16/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/523,513

Applicant(s)

DOLLING ET AL.

Examiner

Jennifer L. Norton

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 January 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G., 213.

Disposition of Claims

- 4) ☒ Claim(s) 15-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 15-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 February 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application
- ☐ Other: _____

DETAILED ACTION

1. The following is a **Final Office Action** in response to the Amendment received on 24 January 2006. Claims 15, 19-27 and 29-32 been amended. Claims 1-14 have been previously cancelled. Claims 15-33 are pending in this application.

Claim Rejections - 35 USC § 112

2. The amendment to the Claims was received on 24 January 2006. The correction is acceptable and the objection is withdrawn for a. - e. and g. - i..

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 29 recites the limitation "the inputting of parameters" in lines 3-4. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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6. Claims 15, 19, 22 and 25-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,631,825 (hereinafter Van Weele) in view of PCT Application No. PCT/US00/14590 (Gundmudsson) and U.S. Patent No. 5,880,959 (hereinafter Shah), incorporated by reference in Gundmudsson.

7. As per claim 15, Van Weele teaches a tool for configuring or designing, the tool comprising:

- a storage unit for storing a control program (col. 18, lines 34-40);

- an operating unit for inputting operator commands (col. 17, lines 59-67 and col. 18, lines 1-2);

- a computer (col. 17, lines 59-67, col. 18, lines 1-2 and Fig. 1, element 20); and

- a display (Fig. 3, element 26) for displaying a graphic user interface having a first navigation area (Fig. 3, element 36), a second navigation area (Fig. 3, element 38), and a data area (Fig. 3, element 40 and col. 32, lines 17-31), wherein

- the first navigation area (Fig. 3, element 36) is an area, in which sub-tasks and work steps associated with a project can be displayed in a hierarchically organized manner (col. 5, lines 58-67, col. 7, lines 58-67, col. 11, lines 41-52 and col. 34, lines 36-45), wherein

- the second navigation area (Fig. 3, element 38) is an area, in which individual work steps associated with the project can be displayed in their processing sequence

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(col. 2, lines 1-17, col. 5, lines 67, col. 6, lines 1-4 and col. 7, lines 34-37 and 43-44),
and wherein:

(i) a required work step can be selected (col. 11, lines 5-8 and 14-18) in the first navigation area (col. 23, lines 21-26 and col. 34, lines 27-31) and/or in the second navigation area (col. 7, lines 11-15 and col. 34, lines 31-35).

Van Weele teaches (ii) activities of configuring or designing can be performed in a display area (col. 11, line 67 and col. 12, lines 1-8) substantially the same as claimed but does not expressly teach activities of configuring or designing can be performed in a display area in the second navigation area.

Gundmudsson by incorporation of Shah teaches to activities of configuring or designing can be performed in a display area in the second navigation area (Shah: col. 12, lines 12-16 and Fig. 7, element 1024).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of applicant's invention to modify the teaching of Van Weele to include activities of configuring or designing can be performed in a display area in the second navigation area to reduce design and implementation cost by providing efficient design tool (Shah: col. 2, lines 65-67).

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8. As per claim 19, Van Weele teaches as set forth above elements displayed in the first navigation area are displayed as an alphanumeric display (col. 23, lines 40-43).

9. As per claim 22, Van Weele as set forth above elements displayed in the second navigation area are each displayed in alphanumeric and graphic form (col. 7, lines 4-9).

10. As per claim 25, Van Weele teaches once a required work step has been selected, elements can be selected to display, input or change data associated with said work step is displayed in the data area (col. 11, line 67, col. 12, lines 1-8, col. 13, lines 61-67) substantially the same as claimed but does not expressly teach once a required work step has been completed, command elements can be selected to display, input or change data associated with processing said work step.

Gundmudsson teaches once a required work step has been completed (pg. 11, lines 9-12), command elements can be selected to display, input or change data associated with processing said work step (pg. 11, lines 14-18).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of applicant's invention to modify the teaching of Van Weele to include once a required work step has been completed, command elements can be selected to display, input or change data associated with processing said work step to provide a cohesive

and adaptive project planning and design tool, that permits a non-specialized person to manage a project step-by-step, and keep an accurate project plan and project history (pg. 3, lines 24-27 and pg. 4, lines 1-2).

11. As per claim 26, Van Weele teaches once the required work step has been selected, an alphanumeric display in the first navigation area corresponding to the selected work step and an alphanumeric and graphic display in the second navigation area corresponding to the selected work step are visually marked (col. 13, lines 67 and col. 14, lines 1-4) substantially the same as claimed but does not expressly teach once the required work step has been completed, an alphanumeric display in the first navigation area corresponding to the completed work step and an alphanumeric and graphic display in the second navigation area corresponding to the completed work step are visually marked.

Gundmudsson teaches once the required work step has been completed, an alphanumeric display in the navigation area corresponding to the completed work step are visually marked (pg. 11, lines 9-12).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of applicant's invention to modify the teaching of Van Weele to include once the required work step has been completed, an alphanumeric display in the navigation

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area corresponding to the completed work step are visually marked to provide a cohesive and adaptive project planning and design tool, that permits a non-specialized person to manage a project step-by-step, and keep an accurate project plan and project history (pg. 3, lines 24-27 and pg. 4, lines 1-2).

12. As per claim 27, Van Weele teaches as set forth above the tool is adapted for configuring or designing an installation or technical composition (col. 11, line 67, col. 12, lines 1-8, col. 14, lines 39-41, col. 30, lines 56-67, col. 31, lines 1-34 and Fig. 33).

13. As per claim 28, Van Weele teaches as set forth above the data displayed in the data area is displayed to the form of a list containing selectable list elements (col. 13, lines 30-47).

14. As per claim 29, Van Weele teaches as set forth above a button is assigned to each selectable list element, which can be clicked on to superimpose a window corresponding to an assistant for a selected element, the window containing help information or prompting the inputting of parameters, relating to configuring or designing (col. 13, lines 48-60).

15. As per claim 30, Van Weele teaches status indicators, provided in each of the navigation areas, provide information about a work step (col. 7, lines 11-24)

substantially the same as claimed but does not expressly teach status indicators, provided in each of the navigation areas, provide information about whether or not a user has completed a work step.

Gundmudsson teaches status indicators, provided in the navigation areas, provide information about whether or not a user has completed a work step (pg. 7, lines 10-13 and pg. 11, lines 9-12).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of applicant's invention to modify the teaching of Van Weele to include status indicators, provided in the navigation areas, provide information about whether or not a user has completed a work step to provide a cohesive and adaptive project planning and design tool, that permits a non-specialized person to manage a project step-by-step, and keep an accurate project plan and project history (pg. 3, lines 24-27 and pg. 4, lines 1-2).

16. As per claim 31, Van Weele teaches as set forth above the status indicators further contain information about whether or not a data selection made in a work step has resulted in a non-permitted status (col. 7, lines 11-24).

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17. As per claim 32, Van Weele teaches a method for configuring or designing an installation, the method comprising:

providing a graphic user interface displayed on a display (col. 17, lines 59-67, col. 18, lines 1-2 and Fig. 3, element 26), the graphic user interface having at least two navigation areas (Fig. 3, element 36 and 38) and a data area (Fig. 3, element 40),

a first navigation area (Fig. 3, element 36) being an area in which sub-tasks and work steps associated with a project can be displayed in a hierarchically organized manner (col. 5, lines 58-67, col. 7, lines 58-67, col. 11, lines 41-52 and col. 34, lines 36-45), and

a second navigation area (Fig. 3, element 38) being an area in which individual work steps are displayed in their processing sequence (col. 2, lines 1-17, col. 5, lines 67, col. 6, lines 1-4 and col. 7, lines 34-37 and 43-44);

selecting work steps (col. 11, lines 5-8 and 14-18) to configure or design the installation by navigating in the first navigation area (col. 11, line 67, col. 12, lines 1-8, col. 23, lines 21-26 and col. 34, lines 27-31); and

performing the work steps in conjunction with

(i) visually marking display elements associated with the selected work step in the first and in the second navigation area (col. 13, line 67 and col. 14, lines 1-4); and

(ii) displaying data associated with the selected work step in the data area (col. 32, lines 17-31).

Van Weele does not expressly teach individual work steps which a user performs through a graphical user interface.

Gundmudsson teaches individual work steps which a user performs through a graphical user interface (pg. 7, lines 10-13).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of applicant's invention to modify the teaching of Van Weele to include individual work steps which a user performs through a graphical user interface to provide a cohesive and adaptive project planning and design tool, that permits a non-specialized person to manage a project step-by-step, and keep an accurate project plan and project history (pg. 3, lines 24-27 and pg. 4, lines 1-2).

18. As per claim 33, Van Weele teaches as set forth above a digital storage medium comprising a control program adapted for interacting with a computer, an operator unit, and a display for performing the method as set forth in claim 32 (col. 18, lines 34-40).

19. Claims 16-18, 20, 21, 23 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Van Weele in view of Gundmudsson and Shah in further view of U.S. Patent Publication No. 2003/0172371 (hereinafter Offenmuller).

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20. As per claim 16, Van Weele in view of Gundmudsson and Shah do not expressly teach the first navigation area is an area with a tree structure.

Offenmuller teaches to a first navigation area is an area with a tree structure (pg. 5, par. [0062] and Fig. 3 and 5, element BB1).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of applicant's invention to modify the teaching of Van Weele in view of Gundmudsson and Shah to include a first navigation area is an area with a tree structure to provide the advantage of operating and/or observing an industrial process and/or work cycles and/or an industrial automation system (pg. 2, par. [0017]) and to provide a split display apparatus to increase the usability and flexibility of the system for the user (pg. 2, par. [0021]).

21. As per claim 17, Van Weele teaches the first navigation area provides an overview of the project (col. 7, lines 41-50 and 58-67).

Van Weele in view of Gundmudsson and Shah do not expressly teach the first navigation area provides a tree structure (col. 7, lines 41-50 and 58-67).

Offenmuller teaches to a first navigation area is an area with a tree structure

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(pg. 5, par. [0062] and Fig. 3 and 5, element BB1).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of applicant's invention to modify the teaching of Van Weele in view of Gundmudsson and Shah to include a first navigation area is an area with a tree structure to provide the advantage of operating and/or observing an industrial process and/or work cycles and/or an industrial automation system (pg. 2, par. [0017]) and to provide a split display apparatus to increase the usability and flexibility of the system for the user (pg. 2, par. [0021]).

22. As per claim 18, Van Weele teaches the first navigation area provides an overview of the project (col. 7, lines 41-50 and 58-67).

Van Weele in view of Gundmudsson and Shah do not expressly teach the first navigation area provides a tree structure.

Offenmuller teaches to a first navigation area is an area with a tree structure (pg. 5, par. [0062] and Fig. 3 and 5, element BB1).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of applicant's invention to modify the teaching of Van Weele in view of

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Gundmudsson and Shah to include a first navigation area is an area with a tree structure to provide the advantage of operating and/or observing an industrial process and/or work cycles and/or an industrial automation system (pg. 2, par. [0017]) and to provide a split display apparatus to increase the usability and flexibility of the system for the user (pg. 2, par. [0021]).

23. As per claim 20, Van Weele teaches as set forth above elements displayed in the first navigation area are displayed as an alphanumeric display (col. 23, lines 40-43).

24. As per claim 21, Van Weele teaches as set forth above elements displayed in the first navigation area are displayed as an alphanumeric display (col. 23, lines 40-43).

25. As per claim 23, Van Weele teaches as set forth above elements displayed in the second navigation area are each displayed in alphanumeric and graphic form (col. 7, lines 4-9).

26. As per claim 24, Van Weele teaches as set forth above elements displayed in the second navigation area are each displayed in alphanumeric and graphic form (col. 7, lines 4-9).

Response to Arguments

27. Applicant's arguments see Remarks pgs. 6 and 7, filed 24 January 2007 with respect to claims 15, 19, 22 and 25-33 under 35 U.S.C. 102(b) have been considered but are moot in view of the new ground(s) of rejection.

28. Applicant's arguments see Remarks pg. 7 filed 24 January 2007 with respect to claims 16-18, 20, 21, 23 and 24 under 35 U.S.C. 103(a) have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The following references are cited to further show the state of the art with respect to graphical user interfaces.

U.S. Patent No. 7,124,059 discloses a method and system for maintaining an item of equipment.

29. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jennifer L. Norton whose telephone number is 571-272-3694. The examiner can normally be reached on 8:00 a.m. - 4:30 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anthony Knight can be reached on 571-272-3687. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you

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have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

A handwritten signature in black ink, appearing to read 'Anthony Knight', is positioned above the printed name.

Anthony Knight
Supervisory Patent Examiner
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